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STUDIES IN THE CAUSES OF DELINQUENCY
AND THE TREATMENT OF OFFENDERS

4

MURDER

A Home Office Research Unit Report

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By

EVELYN GIBSON

and

S. KLEIN

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Preface

At the beginning of 1961, the Home Secretary directed the Home Office Research Unit to undertake an investigation on the subject of murder. This has been done and the present report is the result. The report is based on a statistical enquiry, beginning with deaths initially recorded by the police as murders and following them through to the final decision reached, and includes an analysis of the types of victim and the types of murderer concerned.

The object of the report is to give a perspective view of the subject over recent years, with special attention to the effect of the changes made by the Homicide Act, 1957. It is hoped that it may provide a sound basis for judgments about this crime.

T. S. LODGE

Director of Research

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Note.—References to Criminal Statistics are to *Criminal Statistics, England and Wales*, published annually for the Home Office by Her Majesty's Stationery Office.

INTRODUCTION

Murder

1. The line dividing murder from other forms of homicide is often a fine one, and it has been drawn differently at different periods of history; but in this country a conviction for murder has for centuries carried the death penalty. Until recently the Judge was bound to pass sentence of death unless the murderer was under 18 or was an expectant mother.

2. Important changes in the law were made by the Homicide Act, 1957, which came into operation on 21st March, 1957. This Act virtually redefined the offence of murder; it created a distinction between capital murder and non-capital murder, and introduced new grounds on which a conviction could be reduced to manslaughter. Capital murders, for which the death penalty has been retained, are defined in section 5 of the Act as follows:

"(*a*) any murder done in the course or furtherance of theft;
(*b*) any murder by shooting or by causing an explosion;
(*c*) any murder done in the course or for the purpose of resisting or avoiding or preventing a lawful arrest, or of effecting or assisting an escape or rescue from legal custody;
(*d*) any murder of a police officer acting in the execution of his duty or of a person assisting a police officer so acting;
(*e*) in the case of a person who was a prisoner at the time when he did or was a party to the murder, any murder of a prison officer acting in the execution of his duty or of a person assisting a prison officer so acting."

3. For other murder, the penalty is now life imprisonment, except that, under section 6 of the Act, an offender is still liable to the death penalty if he has previously been convicted of another murder committed on a different occasion (both murders having been done in Great Britain).

4. Where two or more persons are concerned in a capital murder, provision is made for them to be convicted of this offence or of non-capital murder, according to the extent of their individual responsibility for the victim's death.

5. The Act also abolished the doctrine of "constructive malice", under which any death resulting from an act of violence committed in the course of a felony could be murder (s.1); clarified the grounds on which provocation could be accepted as a defence and extended them to include provocation by words alone (s.3); and provided that a survivor of a genuine suicide pact should be guilty only of manslaughter (s.4). These provisions affect only two or three cases a year and they have had little effect on the comparability of statistics relating to murders recorded before and after the Act came into operation.

6. A much more far-reaching change was the introduction of the defence of "diminished responsibility" under section 2 of the Act, which provides as follows:

"Where a person kills or is party to a killing of another, he shall not be convicted of murder if he was suffering from such abnormality of mind

(whether arising from a condition of arrested or retarded development of mind or any inherent causes or induced by disease or injury) as substantially impaired his mental responsibility for his acts and omissions in doing or being a party to the killing."

This provision materially affects the comparability of the statistics, since twenty to thirty persons each year are charged with murder and convicted only of manslaughter by reason of "diminished responsibility." It is impossible to say how many of them would have been found guilty of murder if the Act had not been passed, but, as will be shown in Part 1 of this report, the statistics suggest that most of these cases would formerly have resulted in either a conviction for murder or a verdict of guilty but insane; and analysis shows that there is little to distinguish these offences from murder except the mental state of the accused. For purposes of comparison with previous years, therefore, they have been treated as murder.

7. The report is a purely statistical study, and is intended to put the subject in perspective. It includes analyses of the court proceedings, the victims and the offenders, with special reference to the changes introduced by the Homicide Act.

CHAPTER 1

Crimes known to the police and proceedings taken

Crimes known to the police

8. A comparison of the number of murders known to the police each year since 1931 shows that there are considerable fluctuations but no very definite trend. Such a comparison cannot be entirely accurate, since the basis of earlier figures may not have been exactly the same as the basis of those for recent years; and there is always a certain amount of difficulty in stating what is the true figure for murder, since a number of deaths provisionally recorded by the police as due to murder are later found not to be so. Some turn out not to be the result of any crime, and a larger number are found by the Courts to be the result of a lesser offence, usually manslaughter.

9. Figures are published annually in *Criminal Statistics, England and Wales.* These include all crimes which are still on record as murder at the date of going to press; but the true figures, as shown below, are those finally adjusted(1) to exclude all offences subsequently found not to be murder, and this finding may not take place until very much later, as the charge may be reduced to a lesser offence on appeal.

10. Where proceedings result in discharge or acquittal, the offence is classified as "murder," since the reason for an acquittal is never stated. In some cases it is obvious that the jury have decided that there was no murder; but in others the offence may have been committed by someone other than the accused, or the evidence may be insufficient to prove the charge, although the police still believe that murder was committed by the accused. Since it is impossible to distinguish these cases accurately, it is usual to include them in the finally adjusted figures, which are therefore slightly inflated. An analysis of acquittals and discharges in 1960 suggested that in about half these cases there was no murder; if this is generally true, the number of offences finally recorded as murder each year may be on average about 5 per cent too high.

11. Table 1 shows the number of crimes known to the police which are finally recorded as murder, and the number of offences reduced to manslaughter by reason of diminished responsibility under section 2 of the Homicide Act, 1957(2). Since the population has increased over the period, a true comparison of different years can be made only if this is taken into account, and the number of murders per million of population is also shown. Figures for the years 1957 to 1960 are shown both with and without section 2 manslaughter, and the true figures for comparison with earlier years must lie between the two sets of

(1) Finally adjusted as at the time of writing; it is always possible that a murder investigation may be re-opened after a long interval.

(2) Subsequently referred to, for brevity, as "section 2 manslaughter".

TABLE 1

Finally adjusted numbers of murders known to the police, and number of offences reduced to manslaughter by reason of diminished responsibility under s. 2 of the Homicide Act, 1957

	No. of victims			No. per million of home population (a) of England and Wales	
	Murder	s.2 Manslaughter	Total	Murder	Murder and s.2 Manslaughter
1931-40 (annual average)	130	—	130	3·2	3·2
1941-50 (annual average)	152	—	152	(a)	(a)
1951-55 (annual average)	137	—	137	3·1	3·1
1956	150	—	150	3·4	3·4
1957	151	23	174	3·3	3·9
1958	125	28	153	2·8	3·4
1959	141	20	161	3·1	3·5
1960	135	31	166	3·0	3·7

(a) No figure for home population is available for the war years, since this represents persons actually living in the country at the time.

figures(1). In recent years the rate per million population has been slightly higher if all section 2 cases are taken into account, but at its worst, in 1957, it was less than 4 per million of the home population (2).

12. The increase in murder has been very small compared with the general increase in crime, as is shown by Table 2.

13. Every death concerning which there is *prima facie* evidence that murder might have been committed is notified to the Home Office by the police; but the finally adjusted figures are always considerably less than these crude provisional figures. The final decision on such deaths recorded in each of the years 1952 to 1960 is shown in Table 3. The proportion of "provisional" murders finally recorded as murder fluctuated from year to year; but there was a considerable decrease from 1957 onwards, which appears to have been due largely to the operation of Section 2 of the Homicide Act. The figures suggest that most Section 2 offences would formerly have resulted in verdicts of murder rather than manslaughter. However, even apart from Section 2, a higher proportion of deaths provisionally recorded as murder is now found not to be murder. In 1957 and 1960, the proportion of deaths found not to be due to murder was particularly high; and in both these years an unusually high proportion of suspects was committed for trial by the magistrates on a lesser charge than murder (See Table 8).

(1) See paragraph 6.
(2) For annual figures see Table 12.

TABLE 2

Indictable Offences known to the police

	Larceny and Breaking and Entering		Receiving and Frauds and False Pretences		Sexual Offences		Violence against the Person		Other Indictable Offences		Total	
	No.	No. per million home pop.	No.	No. per million home pop.	No.	No. per million home pop.	No.	No. per million home pop.	No.	No. per million home pop.	No.	No. per million home pop.
1931-40 (Annual average)	215,344	5,271	18,762	460	4,155	102	2,400	59	6,303	155	246,964	6,047
1941-50 (Annual average)	389,671	n.a.	25,434	n.a.	9,223	n.a.	4,325	n.a.	11,823	n.a.	440,476	n.a.
1951-55 (Annual average)	403,804	9,161	34,363	780	15,818	358	7,197	163	15,511	352	476,693	10,814
1956	409,329	9,160	30,244	677	17,103	383	9,307	208	13,727	307	479,710	10,735
1957	466,027	10,378	34,854	776	18,635	415	10,960	244	15,086	336	545,562	12,149
1958	540,520	11,983	39,417	874	17,691	392	12,137	269	16,744	371	626,509	13,889
1959	579,850	12,776	44,315	976	20,024	441	13,876	306	17,561	387	675,626	14,886
1960	640,636	13,969	47,745	1,041	19,937	435	15,759	343	19,637	428	743,714	16,216

TABLE 3

Comparisons between deaths provisionally and finally recorded as due to murder

	Deaths provisionally recorded as murder		Deaths found not to be murder (excl. s.2 cases)		Deaths found to be manslaughter under s.2 (diminished responsibility)		Deaths finally recorded as murder	
	No.	%	No.	%	No.	%	No.	%
1952	180	100·0	39	21·7	—	—	141	78·3
1953	174	100·0	34	19·5	—	—	140	80·5
1954	166	100·0	21	12·7	—	—	145	87·3
1955	152	100·0	19	12·5	—	—	133	87·5
1956	179	100·0	29	16·2	—	—	150	83·8
1957	224	100·0	50	22·3	23	10·3	151	67·4
1958	184	100·0	31	16·9	28	15·2	125	67·9
1959	192	100·0	31	16·2	20	10·4	141	73·4
1960	217	100·0	51	23·5	31	14·3	135	62·2

14. Table 4 shows a comparison between the periods before and after the Homicide Act (that is to say, before and after 21st March, 1957). Ideally a comparison should be made with an earlier period, before a change in the law was under consideration; but comparable detailed statistics were not available. In this and the following tables, therefore, comparison has been made with years immediately preceding the Act. The basis of the division has been the date at which the crime became known to the police; hence some offences shown as occurring in the period before the Act were actually dealt with under the Act.

TABLE 4

Comparison between deaths provisionally and finally recorded as due to murder before and after the Homicide Act, 1957

	Before Homicide Act: 1st January, 1952, to 20th March, 1957			After Homicide Act: 21st March, 1957, to 31st December, 1960		
	No.	Annual Average	%	No.	Annual Average	%
Deaths provisionally recorded as murder	888	170	100	780	206	100
Deaths found not to be murder or manslaughter by reason of diminished responsibility (s.2) .	150	29	16·9	155	41	19·9
Deaths finally recorded as murder or manslaughter by reason of diminished responsibility (s.2).						
Murder	735	140	82·8	526	139	67·4
s.2 manslaughter . . .	3	1	0·3	99	26	12·7
Total . .	738	141	83·1	625	165	80·1

Table 4 clearly shows that the fall in the proportion of deaths finally recorded as murder was associated with the introduction of the new category of section 2 manslaughter.

15. The number of murders recorded is based on the number of victims, which is not, of course, the same as the number of suspects. Several people may commit one murder, or one person may murder several victims. Table 5 relates the number of suspects to the number of victims and shows the small number of murders not cleared up. "Murders cleared up" include all those in which proceedings were taken against a suspect and the crime was not found to be a lesser offence than murder (or section 2 manslaughter); that is to say, they include cases where the accused was acquitted or discharged, but not those where he was found guilty of, for example, ordinary manslaughter, which are included under "deaths found not to be murder." They also include cases where the suspect committed suicide; in all such cases it was clear from the circumstances that the suspect had in fact committed murder, and generally this was stated at the inquest. In each year, about one-third of all suspects in cases finally recorded as murder committed suicide. Most of the multiple murders

TABLE 5

Numbers of victims related to numbers of suspects

	Deaths provisionally recorded as murder	Murders not cleared up	Deaths found not to be murder or s.2 manslaughter	Murders cleared up (including s.2 manslaughter)				
				No proceedings taken			Proceedings taken	
	No. of victims	No. of victims	No. of victims	No. of victims	No. of suspects who commited sucide	No. of suspects who died or were detained in mental hospital	No. of victims	No. of suspects
1952	180	8	39	48	36	—	85	76
1953	174	10	34	53	37	2	77	66
1954	166	10	21	59	38	1	76	72
1955	152	10	19	46	32	1	77	70
1956	179	11	29	56	39	—	83	85
1957	224	17	50	54	39	—	103	95
1958	184	15	31	46	38	2	92	89
1959	192	11	31	50	35	—	100	97
1960	217	9	51	45	39	—	112	126
Before Homicide Act (1.1.52 to 20.3.57): Annual average .	170	9	29	52	36	—	80	74
After Homicide Act (21.3.57 to 31.12.60): Annual average .	206	14	41	49	38	—	102	102

came in this category, and, as will be shown later, they were mainly murders of children by a parent in a state of mental stress or despair.

16. In cases in which proceedings are taken, there are normally slightly more victims involved than there are suspects; but 1960 was exceptional in this respect. It is the only year for which details are available in which the number of suspects appreciably exceeded the number of victims; there were an unusual number of incidents in which several persons were jointly concerned in the death of one victim. Eight victims were killed in this way, and twenty-eight suspects were involved.

17. The main provision of the Homicide Act was the limitation of the death penalty to capital murder, and for purposes of comparison an attempt has been made in Table 6 to estimate the number of murders which would have been regarded as capital and non-capital in the years preceding the Homicide Act. These estimates are not wholly reliable, mainly because it is not always possible to tell from the records whether a murder was committed in the course or furtherance of theft. Section 2 manslaughters have been included in Table 6, and classified as capital or non-capital according to the circumstances of the crime. The proportion of "capital" murder before and after the Act was very similar, and there was no particular trend; there were fluctuations from year to year, but the average was between 14 and 15 per cent of the total in both periods. These figures include cases in which the offender committed suicide or

TABLE 6

Murders known to the police together with offences reduced to manslaughter by reason of diminished responsibility
Estimated numbers of "capital" and "non-capital" offences

	"Capital"		"Non-capital"		Total	
	No.	%	No.	%	No.	%
1952 . .	17	12·1	124	87·9	141	100·0
1953 . .	17	12·1	123	87·9	140	100·0
1954 . .	22	15·2	123	84·8	145	100·0
1955 . .	15	11·3	118	88.7	133	100·0
1956 . .	30	19·9	120	80·0	150	100·0
1957 . .	23	13·2	151	86·8	174	100·0
1958 . .	19	12·4	134	87·6	153	100·0
1959 . .	23	14·3	138	85·7	161	100·0
1960 . .	31	18·7	135	81·3	166	100·0
1952-56 . .	101	14·2	608	85·8	709	100·0
1957-60 . .	96	14·7	558	85·3	654	100·0
Before Homicide Act (1.1.52 to 20.3.57): Annual Average . .	20	14·2	121	85.8	141	100.0
After Homicide Act (21.3.57 to 31.12.60): Annual Average . .	24	14·6	141	85·4	165	100·0

was found to be mentally abnormal, and therefore a number of murders here classified as "capital" did not result in conviction. This particularly applies to murder by shooting (see paragraph 56).

Court proceedings

18. Table 7 shows, for crimes which became known to the police in the years 1952 to 1960, the results of all proceedings in which a suspect was committed for trial and the crime was finally recorded as murder, and also, from 1957 onwards, of proceedings in which the verdict was manslaughter on the grounds of diminished responsibility. The proportion of persons acquitted and the proportion convicted and sentenced have fluctuated considerably from year to year, but there is no definite trend. There is not, for example, any evidence that juries are more ready to convict when the death penalty is not involved. In fact the proportion of acquittals was highest in 1960. More surprisingly, perhaps, there is no sign of an increase in the proportion of persons deemed to be mentally abnormal, in spite of the operation of section 2 of the Homicide Act; the figures suggest that the defence of diminished responsibility has to some extent replaced that of insanity, since the proportion of persons found guilty but insane has decreased. There has also been a drop in the proportion of persons found insane on arraignment, and not one has been found insane after trial since the passing of the Act. The figures suggest that, before the Act, cases now dealt with under section 2 would have resulted either in convictions for murder or in findings of insanity. The proportion of those convicted who were found to be mentally abnormal—that is to say insane or suffering from diminished responsibility—was 47 per cent for the years 1952 to 1956 and 46 per cent for the years 1957 to 1960.

19. The table shows that, even before the Act, the number of persons actually executed was decreasing; and in 1955, the last year in which the death penalty was fully used under the old law, nearly two-thirds of those sentenced to death were reprieved. In 1956 and the early part of 1957, when a change in the law was under consideration, they were all reprieved; and since the Homicide Act, executions have been very few.

20. The year 1960 was exceptional for the large number of acquittals. This was partly due to the fact that, in murders for which several persons were charged, one or more of the accused was acquitted or convicted of a lesser offence, while the ringleader was convicted of murder. The crime therefore continued to be classified as murder. There were also an unusually large number of cases found to be manslaughter under section 2; but again this appears to have been balanced by a low number of findings of guilty but insane.

21. For earlier years, details cannot be given for suspects convicted on a lesser charge than murder; but since 1957 figures have been available to show the final result in all cases where someone was initially suspected of murder, whatever the outcome. Table 8 shows the disposal of suspects from 1957 to 1960. Nearly all the suspects against whom proceedings were taken were committed for trial, most of them being indicted for non-capital murder. A few were discharged under section 7 of the Magistrates' Court Act, 1952, becuase the court found insufficient evidence to commit them for trial; two were dealt with by United States authorities, and one was convicted of other murders in Scotland.

TABLE 7

Persons committed for trial for offences finally recorded as murder manslaughter by reason of diminished responsibility. Final result of proceedings

	1952		1953		1954		1955		1956		1957		1958		1959		1960	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Acquitted or nolle prosequi	5	6·8	8	12·5	9(a)	12·5	5	7·2	15(a)	18·1	12	13·5	12	14·3	7	7·3	24	19·7
Convicted of murder and sentenced:																		
Sentenced to death and executed	17	23·0	16	25·0	12	16·7	9	13·0	—	—	3	3·4	5	6·0	4	4·2	7	5·7
Sentenced to death and reprieved	15	20·2	10	15·6	10	13·9	14	20·3	30	36·1	8(b)	9·0	1	1·2	1	1·1	3	2·4
Sentenced to life imprisonment	—	—	—	—	1(c)	1·4	—	—	—	—	24	27·0	19	22·6	39	40·6	33	27·1
Aged under 18 and ordered to be detained during Her Majesty's Pleasure	2	2·7	—	—	3	4·1	1	1·5	4	4·8	1	1·1	1	1·2	1	1·0	3	2·5
Total	34	45·9	26	40·6	26	36·1	24	34·8	34	40·9	36	40·5	26	31·0	45	46·9	46	37·7
Insane before trial or upon arraignment	17	23·0	16	25·0	10	13·9	13	18·9	15	18·1	14	15·7	13	15·5	11	11·4	14	11·5
Guilty but insane	17	23·0	13	20·3	23	31·9	27	39·1	15	18·1	6	6·7	6	7·1	14	14·6	8	6·5
Certified insane after trial	1	1·3	1	1·6	2	2·8	—	—	1	1·2	—	—	—	—	—	—	—	—
Convicted of manslaughter on the grounds of diminished responsibility (s.2)	—	—	—	—	—	—	—	—	—	—	20	22·5	27	32·1	19	19·8	30	24·6
Total	35	47·3	30	46·9	35	48·6	40	58·0	31	37·4	40	44·9	46	54·7	44	45·8	52	42·6
Died awaiting trial	—	—	—	—	2	2·8	—	—	3	3·6	1	1·1	—	—	—	—	—	—
Grand Total	74	100·0	64	100·0	72	100·0	69	100·0	83	100·0	89	100·0	84	100·0	96	100·0	122(d)	100·0

(a) Including one conviction quashed by the Court of Criminal Appeal.
(b) Including one liable to the death penalty under s.6 (convictions for two murders committed on separate occasions).
(c) Expectant mother.
(d) In addition, one trial was still pending.

TABLE 8

Persons initially suspected of murder

	1957	1958	1959	1960
Persons initially suspected of murder	181	162	166	223
Committed suicide	40 (a)	40 (a)	35	40 (a)
Proceeded against	141	122	131	183
Died awaiting trial	1	—	—	—
Handed over to authority outside England and Wales	2	1	—	—
Discharged at Magistrates' Court	4	5 (b)	1	3
Committed for trial on indictment:				
For capital murder	12	20	18	29
For murder	105 (c)	95	104	132
For manslaughter, etc.	17	1	8	19

(a) Including 1 case where the offence was found not to be murder.
(b) Including 1 charged only with manslaughter.
(c) Including 6 dealt with before the Homicide Act.

22. Table 9 shows the results of the proceedings against those committed for trial, including those whose crime was found to be a lesser offence and those who were acquitted. The year relates to the time at which the crime became known. All these cases involved a death which led to proceedings on an initial suspicion of murder; the charge could be reduced to manslaughter at any stage —magistrates' court, assizes, Court of Criminal Appeal or House of Lords— or the suspect could be acquitted of murder and re-indicted for a lesser offence. Where there is known to have been such a re-indictment, the result has been shown, but before 1960, information on this point was incomplete.

23. In the great majority of cases, the crime was found to be either murder or manslaughter. In 1957 and 1958, results were fairly evenly divided between the two; but in 1959 there was a considerable increase in the proportion of murder to manslaughter, and this increase was entirely in non-capital murder. There was a corresponding decrease in both section 2 and ordinary manslaughter. In 1960, on the other hand, although the proportion of murders was back to normal, the number of capital murders was the highest since the Act.

24. Table 10 shows how many persons were convicted of each of the types of capital murder specified in section 5 of the Homicide Act. The majority of such convictions were of murder in the course or furtherance of theft; two of these offenders were also convicted of murder by shooting, but even allowing for this the number convicted of capital murder by shooting was small. (One person was convicted of non-capital murder although he shot the victim.) The remaining convictions were of the murder of a policeman on duty. For comparison, offenders convicted of similar offences before the Act are shown;

TABLE 9

Persons committed for trial in cases initially recorded as murder in the years stated

	1957		1958		1959		1960	
	No.	%	No.	%	No.	%	No.	%
Persons committed for trial.	134	100·0	116	100·0	130	100·0	180	100·0
Awaiting trial . . .	—	—	—	—	—	—	1	0·6
Cases finally recorded as murder:								
Persons committed for trial	68	50·8	57	49·1	77	59·2	92	51·1
Insane on arraignment .	14	10·4	13	11·2	11	8·5	14	7·8
Guilty but insane . .	6	4·5	6	5·2	14	10·8	8	4·4
Convicted of murder:								
Capital	6	4·5	6	5·2	5	3·8	12	6·7
Non-capital . . .	25(a)	18·7	20	17·2	40	30·8	34	18·9
Not distinguished . .	5	3·7	—	—	—	—		
Acquitted or nolle prosequi.	12	9·0	12	10·3	7	5·4	24(b)	13·3
Cases finally recorded as manslaughter:								
Persons committed for trial	57	42·5	56	48·3	45	34·6	77	42·8
Insane on arraignment .	1	0·7	—	—	—	—	—	—
"Diminished responsibility" (s.2) . .	20	14·9	27	23·3	19	14·6	30	16·7
Suicide pact (s.4) .	2	1·5	1	0·9	1	0·8	—	—
Other conviction for manslaughter . . .	30	22·4	26	22·4	22	16·9	35	19·4
Acquitted . . .	4	3·0	2	1·7	3(c)	2·3	12	6·7
Cases finally recorded as neither murder nor manslaughter:								
Persons committed for trial	9	6·7	3	2·6	8	6·2	10	5·5
Infanticide . . .	2	1·5	2	1·7	7	5·4	6	3·3
Child neglect . .	2	1·5	—	—	—	—	—	—
Concealment of birth .	3	2·2	1	0·9	—	—	3	1·7
Other. . . .	2	1·5	—	—	1	0·8	1	0·5

(a) Including one liable to the death penalty under s.6 (convictions for two murders committed on separate occasions).

(b) Including 5 persons concerned in gang murders who were themselves acquitted of murder but found guilty of wounding offences.

(c) Including one concerned in manslaughter who was himself convicted only of common assault.

there were more offenders convicted of murder by shooting in 1955, 1956 and the early part of 1957 than in the whole period since the Act. In both periods, however, most deaths by shooting did not result in convictions for murder, since the offenders either committed suicide of were found to be mentally abnormal (see Table 34). On the other hand, offenders who killed for financial gain were almost always convicted of murder (see Table 36).

TABLE 10

Convictions for capital murder and similar convictions before the Homicide Act

		Convictions for capital murder under the Homicide Act, 1957				
		s.5 (a) Murder in the course or furtherance of theft	s.5 (b) Murder by shooting	s.5 (c) Murder in the course of resisting arrest	s.5 (d) Murder of policeman in course of duty	s.5 (e) Murder of prison officer in course of duty
1957	Executed .	2	1	—	—	—
	Reprieved .	1	1	—	—	—
	H.M.P.* .	1	—	—	—	—
1958	Executed .	4	—	—	1	—
	Reprieved .	1	—	—	—	—
1959	Executed .	2	1	—	1	—
	Reprieved .	1	—	—	—	—
1960	Executed .	6	1	—	—	—
	Reprieved .	1	—	—	1	—
	H.M.P.* .	2	—	—	—	—
	Executed .	14	3	—	2	—
	Reprieved .	4	1	—	1	—
	H.M.P.* .	3	—	—	—	—
	Total . .	21	4	—	3	—
		Similar Convictions for murder before the Act				
1955	Executed .	1	1	—	—	—
	Reprieved .	1	—	—	—	—
1956	Reprieved .	4	5	—	—	—
	H.M.P.* .	1	1	—	—	—
1957	Reprieved .	2	1	—	—	—
	Executed .	1	1	—	—	—
	Reprieved .	7	6	—	—	—
	H.M.P.* .	1	1	—	—	—
	Total . .	9	8	—	—	—

* Persons aged under 18 ordered to be detained during Her Majesty's Pleasure.

25. Table 11 compares the sentences imposed for manslaughter by reason of diminished responsibility with those given for ordinary manslaughter in cases where the offence was originally recorded as murder. Most of those convicted of section 2 manslaughter were sentenced to imprisonment and sentences

tended to be heavier than for other manslaughter; a number of offenders who successfully put forward the defence of diminished responsibility received a sentence of life imprisonment, which is the same as they would have received for non-capital murder. The figures in Table 7 suggest that a number of these cases would formerly have resulted in a verdict of insanity and consequent detention during Her Majesty's Pleasure. In three cases relating to crimes committed in 1957, a conviction for capital murder was reduced to manslaughter by the Court of Criminal Appeal. In one of these cases (originally capital murder by shooting) the Court reluctantly upheld a submission that the judge failed to direct the jury adequately on the onus of proof of provocation, and sentenced the offender to 12 years' imprisonment. In the other two, the Court accepted pleas of diminished responsibility and set aside convictions for capital murder in furtherance of theft. One of the offenders, who had killed and robbed an old woman, was sentenced to life imprisonment. The other had killed and mutilated a boy against whom he had committed a sexual offence; he was sentenced to 20 years' imprisonment but was certified as a moral defective shortly afterwards.

TABLE 11

Sentence for manslaughter in cases where the offence was initially recorded as murder

	1957		1958		1959		1960	
	s.2	Other	s.2	Other	s.2	Other	s.2	Other
Imprisonment:								
Life	8(a)	—	10	—	7	1	10	—
10 years and under	6(a)	3(a)	2	2	1	4	3	3
5 years and under 10 years	4	13	7	10	6	8	3	9
Under 5 years	1	9	5	13	4	8	4	17
Ordered to be detained during Her Majesty's Pleasure	—	1	1	—	—	—	1	—
Other disposal	1	6	2	2	1	2	9	6
Total	20	32	27	27	19	23	30	35

(a) Including 1 capital murder reduced to manslaughter by Court of Criminal Appeal.

Detailed annual figures

26. Table 12 shows the annual figures for murder and manslaughter by reason of diminished responsibility. The basis of pre-war and wartime figures is a little uncertain.

TABLE 12

Finally adjusted numbers of murders known to the police, and number of offences reduced to manslaughter by reason of diminished responsibility

Year	Murder				Manslaughter under Section 2 of the Homicide Act, 1957 No. of victims
	Victims aged 1 year or over No.	Victims aged under 1 year No.	All victims		
			Annual Total	5 year average	
1931	111	27	138		
1932	93	31	124		
1933	110	29	139	131	—
1934	105	32	137		
1935	101	17	118		
1936	112	29	141		
1937	87	24	111		
1938	93	19	112	129	—
1939	135	21	156		
1940	115	8	123		
1941	135	11	146		
1942	159	33	192		
1943	120	22	142	154	—
1944	95	23	118		
1945	141	33	174		
1946	127	17	144		
1947	131	40	171		
1948	138	24	162	149	—
1949	114	17	131		
1950	122	16	138		
1951	116	8	124		
1952	132	9	141		
1953	128	12	140	137	—
1954	136	9	145		
1955	123	10	133		
1956	144	6	150		—
1957	139	12	151		23
1958	113	12	125	140	28
1959	135	6	141		20
1960	126	9	135		31

CHAPTER II

The Victims

27. For the years 1955 to 1960, an analysis has been made of all victims of offences finally recorded as murder, including those where the suspect committed suicide. To these have been added the victims of offences finally recorded as manslaughter under section 2 of the Homicide Act; as shown in Part I, most of these offences would formerly have resulted in a finding of murder. Analysis shows that there is little to distinguish them from murder and in general they tend to resemble the murders committed by the insane.

28. The years shown are those in which the crime was recorded by the police, and where comparisons are shown before and after the Homicide Act, the figures relate to crimes which became known between the beginning of 1955 and the 21st March, 1957, and crimes which became known between this date and the end of 1960. The analysis covers 313 victims of murder before the Homicide Act, 522 victims of murder after the Homicide Act, and 102 victims of section 2 manslaughter, making 937 altogether.

Age and sex of victims

29. Table 13 shows the age and sex of victims and Table 14 shows the proportions in each group before and after the Act. Victims of murder are distributed over all sections of the population, and there was little change in age and sex distribution between the two periods compared. The proportion of children under 16 fell from 38 per cent to 34 per cent, owing to a fall in the proportion of male children, but the difference was not statistically significant.

TABLE 13

Age and sex of victims

	Under 1 year		1 and under 5		5 and under 16		16 and under 30		30 and under 50		50 and over		Total	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
1955	7	3	14	11	13	12	7	7	9	22	12	16	62	71
1956	2	3	8	9	15	12	11	16	10	27	11	26	57	93
1957	9	8	11	14	12	15	10	11	14	25	16	29	72	102
1958	6	6	5	7	11	10	10	17	14	21	17	29	63	90
1959	1	5	10	11	8	19	6	24	10	31	13	23	48	113
1960	6	3	10	8	11	13	16	17	14	29	14	25	71	95
Total	31	28	58	60	70	81	60	92	71	155	83	148	373	564

TABLE 14

Proportion of victims of different ages

	Before Homicide Act (1.1.55 to 20.3.57)			After Homicide Act (21.3.57 to 31.12.60)		
	Male	Female	Total	Male	Female	Total
Under 1 year . %	7·6	3·3	5·1	8·7	5·7	6.9
1 and under 5 . %	17·6	12·7	14·7	14·4	9·7	11·5
5 and under 16 . %	24·4	13·7	18·2	15·7	14·7	15·1
All under 16 . %	49·6	29·7	38·0	38·8	30·1	33·5
16 and under 30 %	14·5	15·4	15·0	17·0	16·7	16·8
30 and under 50 %	17·6	28·5	24·0	19·8	27·0	24·2
50 and over . %	18·3	26·4	23·0	24·4	26·2	25·5
All over 16 . %	50·4	70·3	62·0	61·2	69·9	66·5
Total . .No.	131	182	313	242	382	624
%	100·0	100·0	100·0	100·0	100·0	100·0
Annual Average No.	59	82	141	64	101	165

30. Child victims aged under one year are mainly newly-born infants and most of the undetected murders of children are in this category. This is the only age-group for which figures are available for earlier years, and Table 15 shows how such crimes have decreased in the past decade. The fall after 1950 may have been due to a change in the public attitude to illegitimacy and to the provision of better facilities for unmarried mothers.

TABLE 15

Victims aged under 1 year

	Number of victims (annual average)
1931-35	27
1936-40	20
1941-45	24
1946-50	22
1951-55	10
1956-60	12

31. Table 16 shows the proportions of males and females, for each year and for the two periods. Female victims consistently outnumbered male victims, the proportion being about 6 to 4. Among children under 16, however, the proportions were about equal, since most of them were victims of a parent in a state of mental stress, and the whole family suffered indiscriminately. The increase in the proportion of girls since the Act was not statistically significant. Among adults, about two-thirds of the victims were women, largely because so many women were murdered by their husbands.

TABLE 16

Proportions of male and female victims

		Victims aged under 16			Victims aged 16 and over			Total		
		Male	Female	Total	Male	Female	Total	Male	Female	Total
1955	No.	34	26	60	28	45	73	62	71	133
	%	56·7	43·3	100·0	38·4	61·6	100·0	46·6	53·4	100·0
1956	No.	25	24	49	32	69	101	57	93	150
	%	51·0	49·0	100·0	31·7	68·3	100·0	38·0	62·0	100·0
1957	No.	32	37	69	40	65	105	72	102	174
	%	46·4	53·6	100·0	38·1	61·9	100·0	41·4	58·6	100·0
1958	No.	22	23	45	41	67	108	63	90	153
	%	48·9	51·1	100·0	38·0	62·0	100·0	41·2	58·8	100·0
1959	No.	19	35	54	29	78	107	48	113	161
	%	35·2	64·8	100·0	27·1	72·9	100·0	29·8	70·2	100·0
1960	No.	27	24	51	44	71	115	71	95	166
	%	52·9	47·1	100·0	38·3	61·7	100·0	42·8	57·2	100·0
Before Homicide Act (1.1.55 to 20.3.57)	%	54·6	45·4	100·0	34·0	66·0	100·0	41·9	58·1	100·0
After Homicide Act (21.3.57 to 31.12.60)	%	45·0	55·0	100·0	35·7	64·3	100·0	38·8	61·2	100·0

Relationship of victim to suspect

32. Table 17 shows that for about three-quarters of all child victims, the murderer or suspect was a parent or older relative, and the proportion remained fairly constant except in 1956, when it was exceptionally high.

TABLE 17

Children under 16: Relationship of suspect

	Parent or other older relative		Non-relative		Undetected		Total	
	Number of victims	%	Number of victims	%	Number of victims	%	Number of victims	%
1955	46	76·7	6	10·0	8	13·3	60	100·0
1956	43	87·7	2	4·1	4	8·2	49	100·0
1957	51	73·9	10	14·5	8	11·6	69	100·0
1958	33	73·4	6	13·3	6	13·3	45	100·0
1959	41	75·9	8	14·8	5	9·3	54	100·0
1960	37	72·6	9	17·6	5	9·8	51	100·0

33. Owing to the publicity given to some very tragic and horrible cases, particular interest attaches to murders of girls aged between 5 and 16. Table 18 shows that in most of these cases also the suspect was a father or older relative, and that very few were undetected.

TABLE 18

Girl victims aged over 5 and under 16
Relationship of suspect

	Parent or older relative	Non-relative	Undetected	Total
1955	10	2	—	12
1956	11	1	—	12
1957	13	1	1	15
1958	7	3	—	10
1959	13	5	1	19
1960	8	5	—	13

34. Even apart from child victims, most murders of females took place within the family or among close associates. Table 19 shows that for over 40 per cent of all women victims aged 16 or over, the suspect was the husband; and for about a quarter, the suspect was either a relative or a lover. Most of the women murdered by relatives were mothers killed by their own children, in a state of insanity or suicidal despair. There was little difference before and after the Act; there was an increase in the proportion of women killed by strangers, but a fall in the proportion of prostitutes killed, and the distinction between these two categories is somewhat blurred, since the fact that the victim was a prostitute may not have been recorded.

TABLE 19

Female victims aged 16 and over
Relationship of victim to suspect

		Wife	Relative	Girl-friend, etc.	Acquaintance, etc.	Prostitute	Other (incl. undetected)	Total
1955	No.	24	7	5	4	2	3	45
	%	53·3	15·6	11·1	8·9	4·4	6·7	100·0
1956	No.	25	14	5	9	5	11	69
	%	36·2	20·3	7·3	13·0	7·3	15·9	100·0
1957	No.	29	4	7	6	1	18	65
	%	44·6	6·2	10·8	9·2	1·5	27·7	100·0
1958	No.	23	15	4	4	2	19	67
	%	34·3	22·4	6·0	6·0	3·0	28·3	100·0
1959	No.	31	9	16	6	2	14	78
	%	39·8	11·5	20·5	7·7	2·6	17·9	100·0
1960	No.	37	3	11	10	—	10	71
	%	52·1	4·2	15·5	14·1	—	14·1	100·0
Before Homicide Act (1.1.55 to 20.3.57)	%	40·6	18·0	9·4	12·5	6·2	13·3	100·0
After Homicide Act (21.3.57 to 31.12.60)	%	43·8	10·9	13·5	8·6	1·5	21·7	100·0

35. The relationship of victim to suspect is very different for men as is shown in Table 20. Very few women kill their husbands or lovers and a male victim was less often related in any way to the suspect. When he was, he was generally a father killed by his son. Murder by an acquaintance, friend or neighbour was rather more common for male victims; but about half of all male victims aged 16 or over were killed by strangers. The proportion in 1959 rose to three-quarters. The difference is related to the motive and to the fact that most murderers are male. Women and children are most liable to be murdered by husbands and fathers; men are more likely to be killed in fights and quarrels, or in furtherance of theft.

TABLE 20

Male victims aged 16 and over
Relationship of victim to suspect

		Husband or lover	Relative	Acquaint-ance, etc.	Other (incl. undetected)	Total
1955	No.	4	7	4	13	28
	%	14·3	25·0	14·3	46·4	100·0
1956	No.	1	6	11	14	32
	%	3·1	18·8	34·4	43·7	100·0
1957	No.	8	6	5	21	40
	%	20·0	15·0	12·5	52·5	100·0
1958	No.	7	9	6	19	41
	%	17·1	22·0	14·6	46·3	100·0
1959	No.	3	1	3	22	29
	%	10·4	3·4	10·4	75.8	100·0
1960	No.	2	7	11	24	44
	%	4·5	15·9	25·0	54·6	100·0
Before Homicide Act (1.1.55 to 20.3.57)	%	9·1	21·2	24·2	45·5	100·0
After Homicide Act (21.3.57 to 31.12.60)	%	12·8	14·9	16·2	56·1	100·0

Methods of killing

36. Table 21 shows the methods used by murderers. The commonest method both before and after the Homicide Act was an attack either with a blunt instrument or without a weapon; such attacks accounted for between 25 and 30 per cent of the total in both periods. Shooting was the least common method; the proportion fell from 14 per cent before the Act to 10 per cent after it. Otherwise there was little change. There were considerable differences according to age and sex of victim. Among children under 16, the most common method was gas poisoning, which accounted for 40 per cent in both periods. This was

the usual method in family murders where the suspect committed suicide, and the few adults who were murdered in this way were mainly wives, husbands or other members of the family. The next most common method of murdering children was strangulation or asphyxiation, which applied particularly to the newly-born; this was also common among women victims, but rare among men. Before the Act, shooting accounted for as much as 27 per cent of adult male victims, but after the Act the proportion fell to 15 per cent; in both periods, the majority of such murders occurred in the course of a quarrel with an acquaintance or a stranger. Women killed by shooting, on the other hand, were mainly murdered by their husbands or near relatives. In both periods, attacks with sharp instruments accounted for about a quarter of the women and a fifth of the men. There was the same sex difference as for shooting; men were mainly stabbed by acquaintances or strangers in quarrels, while women were stabbed by husbands, lovers or relatives.

TABLE 21

Method of Murder

		Before Homicide Act (1.1.55 to 20.3.57)				After Homicide Act (21.3.57 to 31.12.60)			
		Victim				Victim			
		Under 16	Over 16		Total	Under 16	Over 16		Total
			Male	Female			Male	Female	
Sharp instrument	No.	7	17	25	49	10	41	54	105
	%	5·9	25·8	19·5	15·7	4·8	27·7	20·2	16·8
Blunt instrument, hitting, kicking, etc.	No.	23	23	37	83	30	66	88	184
	%	19·3	34·8	28·9	26·5	14·4	44·6	33·0	29·5
Strangulation or asphyxiation.	No.	24	—	30	54	61	9	80	150
	%	20·2	—	23·5	17·2	29·2	6·1	29·9	24·0
Gas poisoning	No.	47	6	9	62	84	2	9	95
	%	39·5	9·1	7·0	19·8	40·2	1·3	3·4	15·2
Shooting	No.	8	18	18	44	7	22	32	61
	%	6·7	27·3	14·1	14·1	3·3	14·9	12·0	9·8
Other	No.	10	2	9	21	17	8	4	29
	%	8·4	3·0	7·0	6·7	8·1	5·4	1·5	4·7
Total	No.	119	66	128	313	209	148	267	624
	%	100·0	100·0	100·0	100·0	100·0	100·0	100·0	100·0
Annual average	No.	53	30	58	141	55	39	71	165

Motives for murder

37. An attempt was made to assess the motive of murder in each case, as far as could be done without studying case histories in detail. Some of the headings cover murders in which there was also an element of some other motive. For instance, only when it was clear that the crime was committed for sexual reasons was it included as a sexual murder. When the murder of a woman resulted from a quarrel with her husband or another man, it would be shown

under "Quarrels or violent rage"; similarly the murder of a prostitute by her client was not assumed to be a sexual crime unless it was so stated or there was some evidence of rape or a particular kind of assault. "Robbery or financial gain" also overlaps with "Quarrels or violent rage", since some of the offenders who robbed their victims were found to be insane or suffering from diminished responsibility, and it is doubtful whether robbery was the true motive.

38. Table 22 shows the motives for murders of children under 16, by sex of victim. Most children were killed either in violent rage (most often in insane violence) or by parents who committed suicide. There were very few sexual murders of children (1). Mercy-killings were rare. "Other reasons" included a few cases of robbery and jealousy or intrigue.

TABLE 22

Motives for murder of children under 16

	Violent rage (including insane violence)		Mercy-killing		Sexual motive		Motive indefinite because murderer committed suicide		Other or not known		Total	
	M	F	M	F	M	F	M	F	M	F	M	F
1955	14	12	—	1	1	2	13	8	6	3	34	26
1956	3	7	—	—	—	—	19	14	3	3	25	24
1957	13	7	—	1	3	2	11	21	5	6	32	37
1958	8	7	—	—	1	2	10	10	3	4	22	23
1959	7	6	—	—	—	5	10	19	2	5	19	35
1960	11	6	—	1	1	3	9	9	6	5	27	24

39. Table 23 shows the motives for murders of women over 16. In both periods, two-thirds of women victims were killed either in quarrels or violent rage (very often by a murderer in a mentally abnormal state) or by suspects who committed suicide. In both periods, robbery accounted for 6 per cent and sex for 7 per cent. Mercy-killings amounted to one or two a year.

40. Table 24 shows the motives for murder of men aged over 16. Over half were killed in quarrels or violent rage. Men were less often the victims of insane rage than women and children, and were less often killed by suspects who committed suicide. There was a marked increase in the proportion killed for robbery or financial gain, which rose from 7 per cent in the earlier period to 20 per cent after the Homicide Act. The numbers were still fairly small, but this increase is rather striking since the murder in the furtherance of theft is capital murder. There were only three murders of policemen in the course of their duty, two while resisting arrest and one in the course of a street fight.

(1) It has been suggested that sexual murders of children occur in series, and an analysis of the dates of such offences against girls under 16 showed some evidence to this effect. There were two in May and June, 1955; 2 in July and August, 1957; two together in June, 1958; 5 from January to April, 1959; and 4 from November, 1960, to January, 1961.

TABLE 23

Motives for murder
Women over 16

	Quarrels or violent rage (including insane rage)	Jealousy or intrigue	Robbery or financial gain	Sexual motive	Mercy killing	Motive indefinite because murderer committed suicide	Not known	Total
1955	20	4	2	5	1	12	1	45
1956	22	6	5	4	1	20	11	69
1957	23	3	8	3	3	15	10	65
1958	35	7	4	5	1	11	4	67
1959	47	4	3	6	0	13	5	78
1960	30	5	4	5	3	17	7	71
Before Homicide Act (1.1.55 to 20.3.57) %	36·7	8·6	6·3	7·0	2·3	27·4	11·7	100·0
After Homicide Act 21.3.57 to 31.12.60) %	48·7	6·7	6·7	7·1	2·3	19·9	8.6	100·0

TABLE 24

Motive for murder
Men over 16

	Quarrels or violent rage (including insane rage)	Jealousy or intrigue	Robbery or financial gain	Sexual motive	Resisting arrest	Motive indefinite because murderer committed suicide	Not known	Total
1955	17	1	1	—	—	7	2	28
1956	21	3	2	1	—	2	3	32
1957	18	1	9	—	—	2	10	40
1958	21	3	8	—	—	6	3	41
1959	12	1	7	—	1	1	7	29
1960	28	1	7	1	1	4	2	44
Before Homicide Act (1.1.55 to 20.3.67) %	57·6	7·6	7·6	1·5	—	15·1	10·6	100·0
After Homicide Act (21.3.57 to 31.12.60) %	53·4	3·4	19·6	0·7	1·3	8·1	13·5	100·0

CHAPTER III

The Offenders

41. The previous chapters dealt with the legal aspects of murder and with the victims; in the present chapter an attempt will be made to discuss the offenders, although this must necessarily be inadequate without a lengthy study of case-histories, which is beyond the scope of this report.

42. Table 25 recapitulates in summary form the disposal of all suspects in cases finally classified as murder or section 2 manslaughter, before and after the Homicide Act. As before, the date relates to the recording of the crime by the police; some offenders who committed crimes before the Act were indicted later and dealt with under the Act. It should be remembered that the periods compared are unequal in length.

43. As already explained in paragraph 10, crimes for which someone is acquitted or discharged are still included as murder in the final figures, although there is little doubt that many of them were not murder. An analysis of each acquittal or discharge for 1960 shows that in 13 out of the 27 cases, the circumstances point very strongly to the conclusion that the crime was not murder. If other years were similar, and there is no reason to suppose that they were not the figures for murder should be reduced by about half the number of acquittals, and possibly more. The group of "others" in Table 25 includes isolated cases where suspects were handed over to an authority outside England and Wales, died before trial, were detained in a mental hospital before proceedings were taken. "Insane" includes "insane on arraignment" and "guilty but insane".

44. The present analysis will be confined to those convicted of murder and executed or imprisoned, those found to be insane on arraignment or guilty but insane, and those who committed suicide, together with those convicted of manslaughter by reason of diminished responsibility under section 2. All these can for practical purposes, though not legally, be classified as murderers.

45. Table 26 shows the proportion in each category and the annual average. Looked at in this way, the figures show very clearly that the majority of murderers are mentally disturbed in some way; in both periods no more than 31 per cent at most could be asserted to be wholly responsible for their actions. In fact, the true proportion may be lower, since a number of those sentenced to life imprisonment are later sent to mental hospitals.

Age and sex of offenders

46. Table 27 shows the number and proportion of men and women in each group. Murder, even more than other offences, is commonly regarded as overwhelmingly a male crime, and this is true for murderers who are convicted and sentenced. The proportion of men is also high among those who kill in a state of insanity or diminished responsibility; but among those who commit suicide, 30 to 40 per cent are women. Between the two periods, there was a very marked increase in the proportion of men to women,(1) and this was

(1) Significant at 2% level

TABLE 25

Disposal of suspects in cases finally classified as murder or as manslaughter by reason of diminished responsibility

Date at which crime became known to Police	Committed suicide	Insane	Convicted of murder and			Convicted of manslaughter under s.2	Acquitted or discharged	Other	Total
			Executed	Imprisoned	H.M.P. (a)				
1955	32	41	9	14	1	—	5	1	103
1956	39	30	—	31	4	—	16	4	124
1957	39	20	3	32	1	20	16	3	134
1958	38	19	5	20	1	27	16	3	129
1959	35	25	4	40	1	19	8	—	132
1960	39	22	7	36	3	30	27	1	165
Before Homicide Act (1.1.55 to 20.3.57)	78	73	9	55	5	3	22	6	251
After Homicide Act (21.3.57 to 31.12.60)	144	84	19	118	6	93	66	6	536

(a) Persons under 18 ordered to be detained during Her Majesty's Pleasure.

TABLE 26

Categories of offender and annual averages

No. of offenders

Date at which crime became known to police	Committed suicide	Insane	Convicted of manslaughter under s.2	Convicted and sentenced for murder	Total
Before Homicide Act (1.1.55 to 20.3.57)					
No.	78	73	3	69	223
%	35·0	32·7	1·4	30·9	100·0
Annual average	35	33	(1)	31	100
After Homicide Act (21.3.57 to 31.12.60)					
No.	144	84	93	143	464
%	31·0	18·1	20·0	30·8	100·0
Annual average	38	22	24	38	122

largely due to a change among the mentally abnormal. As has already been suggested, it is probable that a number of those convicted under Section 2 would formerly have been included among the insane; and this is to some extent borne out by the fact that the proportion of men to women in each of these two categories after the Act was almost identical.

TABLE 27

Sex of offenders

No. of offenders

Date at which crime became known to police	Committed Suicide		Insane		Convicted of manslaughter under s.2		Convicted and sentenced for murder		Total	
	M	F	M	F	M	F	M	F	M	F
1955	19	13	28	13	—	—	20	4	67	30
1956	21	18	18	12	—	—	34	1	73	31
1957	25	14	14	6	16	4	34	2	89	26
1958	22	16	16	3	24	3	24	2	86	24
1959	25	10	22	3	15	4	45	—	107	17
1960	28	11	17	5	23	7	46	—	114	23
Before Homicide Act (1.1.55 to 20.3.57)										
No.	44	34	47	26	2	1	63	6	156	67
%	56·4	43·6	64·4	35·6	—	—	93·1	6·9	70·0	30·0
After Homicide Act (20.3.57 to 31.12.60)										
No.	96	48	68	16	76	17	140	3	380	84
%	66·7	33·3	81·0	19·0	81·7	18·3	97.9	2·1	81·9	18·1

TABLE 28

Annual average number of male and female offenders

	Committed Suicide		Insane		Convicted of manslaughter under s.2		Convicted and sentenced for murder		Total	
	M	F	M	F	M	F	M	F	M	F
Before Homicide Act (1.1.55 to 20.3.57) Annual average	20	15	21	12	(1)	—	28	3	70	30
After Homicide Act (21.3.57 to 31.12.60) Annual average	25	13	18	4	20	4	37	1	100	22

TABLE 29

Ages of Offenders
Males

	Committed Suicide		Insane		Convicted of manslaughter under s.2		Convicted and sentenced for murder		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Before Homicide Act (1.1.55 to 20.3.57)										
Under 18	—	—	—	—	—	—	5	7·9	5	3·4
18-20	—	—	2	4·3	—	—	5	7·9	7	4·8
21-24	3	9·1	6	12·7	1	(50·0)	12	19·1	22	15·2
25-29	2	6·1	5	10·6	1	(50·0)	12	19·1	20	13·8
30-34	1	3·0	10	21·3	—	—	6	9·5	17	11·8
35-39	5	15·1	2	4·3	—	—	8	12·7	15	10·3
40 and over	22	66·7	22	46·8	—	—	15	23·8	59	40·7
Total of known age	33	100·0	47	100·0	2	100·0	63	100·0	145	100·0
Age not known	11	—	—	—	—	—	—	—	11	—
After Homicide Act (21.3.57 to 31.12.60)										
Under 18	—	—	—	—	3	3·9	6	4·3	9	2·4
18-20	1	1·2	2	2·9	7	9·2	24	17·1	34	9·2
21-24	2	2·4	6	8·8	7	9·2	31	22·2	46	12·5
25-29	7	8·3	8	11·8	8	10·5	30	21·4	53	14·4
30-34	8	9·5	13	19·1	5	6·6	21	15·0	47	12·8
35-39	14	16·7	7	10·3	12	15·8	16	11·4	49	13·3
40 and over	52	61·9	32	47·1	34	44·8	12	8·6	130	35·4
Total of known age	84	100·0	68	100·0	76	100·0	140	100·0	368	100·0
Age not known	12	—	—	—	—	—	—	—	12	—

47. Table 28 shows the annual averages for men and women separately, for the periods before and after the Homicide Act. While there was an increase in the average number of "sane" murderers, there was a similar increase in the number of men who killed while in an abnormal state of mind, and a decrease in the number of women who did so.

48. Table 29 shows the ages of male offenders. There was a marked difference in age distribution between the mentally abnormal and the rest. Two-thirds of the men who committed suicide were over 40, and nearly half of the insane. Those convicted under section 2 showed a similar pattern to the insane, except that 13 per cent of them were under 21, whereas the number of insane persons under 21 was negligible. Those convicted and sentenced for murder were on average a much younger group, and the average age fell in the later period. The proportion under 21 rose from 16 per cent to 21 per cent, and the proportion between 21 and 35 rose from 48 per cent to 59 per cent, with a corresponding fall in those over 35.

49. The numbers of men of different ages convicted and sentenced for capital and non-capital murder are shown in Table 30. As far as can be deduced from such small numbers, those convicted of capital murder do not appear to differ materially in age from the remainder. The figures include only crimes recorded since the Homicide Act.

TABLE 30

Ages of men sentenced for capital and non-capital murder since the Homicide Act

	Capital Murder			Non-capital Murder
	Executed	Reprieved(a)	Total	Life imprisonment(a)
Under 18	—	2	2	4
18-20	3	2	5	19
21-24	7	1	8	23
25-29	1	3	4	26
30-34	6	—	6	15
35-39	1	—	1	15
40 and over	1	1	2	10
Total	19	9	28	112

(a) Including persons under 18 ordered to be detained during Her Majesty's Pleasure.

50. Table 31 shows the ages of women offenders, from which it can be seen that mental disturbance resulting in murder appears on average to strike women at a younger age than men.

Relationship to victim

51. Tables 32 and 33 show the relationship of the victims to the offenders. For male offenders, there was little difference between the two periods. About half the offenders killed wives, children or other relatives (usually parents). Less than 10 per cent killed girl-friends, and 12 to 13 per cent killed acquaint-

TABLE 31

Ages of Offenders
Females

	Committed Suicide		Insane		Convicted of manslaughter under s.2		Convicted and sentenced for murder		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Before Homicide Act (1.1.55 to 20.3.57)										
Under 18	—	—	1	3·8	—	—	—	—	1	1·9
18-20	—	—	1	3·8	—	—	2	33·3	3	5·7
21-24	2	10·5	1	3·8	1	100·0	—	—	4	7·7
25-29	3	15·8	4	15·4	—	—	1	16·7	8	15·4
30-34	2	10·5	9	34·7	—	—	—	—	11	21·2
35-39	2	10·5	2	7·7	—	—	—	—	4	7·7
40 and over	10	52·7	8	30·8	—	—	3	50·0	21	40·4
Total of known age	19	100·0	26	100·0	1	100·0	6	100·0	52	100·0
Age not known	15	—	—	—	—	—	—	—	15	—
After Homicide Act (21.3.57 to 31.12.60)										
Under 18	—	—	—	—	1	5·8	—	—	1	1·3
18-20	—	—	—	—	2	11·8	—	—	2	2·5
21-24	5	11·6	—	—	2	11·8	2	66·7	9	11·4
25-29	4	9·3	4	25·0	4	23·5	—	—	12	15·2
30-34	15	34·9	1	6·2	2	11·8	—	—	18	22·8
35-39	6	14·0	—	—	2	11·8	—	—	8	10·1
40 and over	13	30·2	11	68·8	4	23·5	1	33·3	29	36·7
Total of known age	43	100·0	16	100·0	17	100·0	3	100·0	79	100·0
Age not known	5	—	—	—	—	—	—	—	5	—

ances. Over a quarter killed strangers. There was, as would be expected, a great difference between the categories. Among the suicides, 90 per cent killed members of their families or girl-friends, and among the insane the proportion was two-thirds. Among those convicted of manslaughter under section 2, the proportion was slightly lower, and 30 per cent of these killed strangers. However the proportion who killed girl friends was high at 18 per cent. Among those convicted and sentenced for murder, the proportions were very different; the majority killed people who were not related to them in any way. Over half of them killed strangers. These are the murders that cause most public concern, but they form quite a small proportion of the whole. "Sane" murderers who killed strangers comprised 21 per cent of the total in both periods.

52. Among women offenders, an overwhelming majority killed members of their families in a state of mental abnormality, and the number of "sane" murderers was negligible.

53. It is clear that, from the point of view of saving life, and especially the lives of children, seeking a deterrent penalty is less important than investigating

the kind of mental breakdown that leads to family murders. It would be valuable to study the backgrounds of these families, with a view to finding out what stresses and strains they had undergone, and whether any agency could have helped them in time to prevent the tragic outcome.

TABLE 32

Relationship of victims to male offenders

	Committed Suicide		Insane		Convicted of manslaughter under s.2		Convicted and sentenced for murder		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Before Homicide Act (1.1.55 to 20.3.57)										
Own children or wife and children	16	36·4	9	19·2	—	—	2	3·2	27	17·3
Wife alone	12	27·3	16	34·0	—	—	8	12·7	36	23·1
Other relative	6	13·6	6	12·8	—	—	3	4·8	15	9·6
Girl-friend, etc.	7	15·9	1	2·1	1	(50·0)	5	7·9	14	8·9
Acquaintance, etc.	—	—	8	17·0	—	—	13	20·6	21	13·5
Other	3	6·8	7	14·9	1	(50·0)	32	50·8	43	27·6
Total	44	100·0	47	100·0	2	100·0	63	100·0	156	100·0
After Homicide Act (21.3.57 to 31.12.60)										
Own children or wife and children	31	32·3	9	13·2	12	15·8	4	2·9	56	14·7
Wife alone	43	44·8	22	32·4	14	18·4	16	11·4	95	25·0
Other relative	3	3·1	12	17·7	6	7·9	9	6·4	30	7·9
Girl-friend, etc.	9	9·4	2	2·9	13	17·1	12	8·6	36	9·5
Acquaintance, etc.	6	6·2	9	13·2	9	11·8	20	14·3	44	11·6
Other	4	4·2	14	20·6	22	29·0	79	56·4	119	31·3
Total	96	100·0	68	100·0	76	100·0	140	100·0	380	100·0

Methods of killing

54. Table 34 shows the methods of killing used by male offenders. Female offenders have not been included, since the majority were women who committed suicide by gas poisoning after killing members of their families, and the remainder showed no particular pattern in the methods they chose, it is however, of interest to note that two women were convicted and sentenced for murder by shooting.

55. As has already been shown in paragraph 36 there was little difference between the two periods in the methods used when murders as a whole are considered; but there were differences for the groups taken separately, and there were also marked differences between the groups.

56. In view of the fact that murder by shooting is capital it is of particular interest that most of the murders by shooting were committed by the suicides and the mentally abnormal and very few by those convicted and sentenced. As would be expected, gas poisoning was used almost exclusively by the suicides,

TABLE 33

Relationship of victims to female offenders

	Committed Suicide		Insane		Convicted of manslaughter under s.2		Convicted and sentenced for murder		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Before Homicide Act (1.1.55 to 20.3.57)										
Own children or husband and children	26	76·5	19	73·1	—	—	1	16·7	46	68·7
Husband	3	8·8	—	—	—	—	1	16·7	4	6·0
Other relative	5	14·7	3	11·5	—	—	—	—	8	11·9
Lover, etc.	—	—	—	—	—	—	1	16·7	1	1·4
Acquaintance, etc.	—	—	2	7·7	1	(100·0)	1	16·6	4	6·0
Other	—	—	2	7·7	—	—	2	33·3	4	6·0
Total	34	100·0	26	100·0	1	100·0	6	100·0	67	100·0
After Homicide Act (21.3.57 to 31.12.60)										
Own children or husband and children	44	91·7	11	68·8	12	70·6	—	—	67	79·8
Husband	3	6·2	2	12·5	2	11·7	1	33·3	8	9·5
Other relative	—	—	—	—	—	—	1	33·3	1	1·1
Lover, etc.	1	2·1	1	6·2	1	5·9	—	—	3	3·6
Acquaintance, etc.	—	—	2	12·5	1	5·9	—	—	3	3·6
Other	—	—	—	—	1	5·9	1	33·4	2	2·4
Total	48	100·0	16	100·0	17	100·0	3	100·0	84	100·0

and this method replaced shooting to some extent in the later period, which accounted for most of the fall in the total proportion of murders by shooting.

57. Among the insane, attack with a blunt instrument or without a weapon was the method used by about half the murderers. This also was to be expected, since most of these attacks were due to a sudden access of rage in which the handiest object was snatched up; but stabbing and strangulation were also fairly common.

58. The methods used by those convicted of manslaughter under section 2 were similar to those used by the insane in most respects, except that strangulation was more common than "bashing" and this was largely attributable to those who strangled their girl-friends.

59. Most of those convicted and sentenced for murder used stabbing, "bashing" or strangling; but there was a marked increase in "bashing" in the later period, particular in 1960, when there were several gang murders of this kind. There was, however, a corresponding decrease in stabbing and shooting.

TABLE 34

Methods used by male offenders

	Committed Suicide		Insane		Convicted of man-slaughter under s.2		Convicted and sentenced for murder		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Before Homicide Act (1.1.55 to 20.3.57)										
Sharp instrument	5	11·4	7	14·9	—	—	22	34·9	34	21·8
Blunt instrument or hitting, etc.	5	11·4	25	53·2	1	(50·0)	18	28·6	49	31·4
Strangulation or asphyxiation.	7	15·9	7	14·9	1	(50·0)	13	20·6	28	17·9
Gas poisoning	6	13·6	1	2·1	—	—	2	3·2	9	5·8
Shooting	14	31·8	5	10·6	—	—	6	9·5	25	16·0
Other	7	15·9	2	4·3	—	—	2	3·2	11	7·1
Total	44	100·0	47	100·0	2	100·0	63	100·0	156	100·0
After Homicide Act (21.3.57 to 31.12.60)										
Sharp instrument	10	10·4	12	17·7	14	18·4	34	24·3	70	18·4
Blunt instrument or hitting, etc.	18	18·8	32	47·1	22	29·0	64	45·7	136	35·8
Strangulation or asphyxiation.	26	27·1	14	20·6	29	38·2	31	22·2	100	26·3
Gas poisoning	20	20·8	2	2·9	3	3·9	—	—	25	6·6
Shooting	22	22·9	6	8·8	7	9·2	9	6·4	44	11·6
Other	—	—	2	2·9	1	1·3	2	1·4	5	1·3
Total	96	100·0	68	100·0	76	100·0	140	100·0	380	100·0

Motives of offenders

60. An attempt has been made to classify the motives of the offenders. This is somewhat sketchy, since, as has already been said, a detailed study of cases was beyond the scope of this report. In a number of cases where the motive is tabulated as "not known", it might be possible to establish it by further research. In the present tabulation, only clearly known motives have been recorded; for example, a sexual motive has been shown only where there was some plain evidence such as a sexual assault, although there may have been a sexual motive in some quarrels or even some robberies of women. Among the suicides, the exact motive was seldom known; in general it appears to have been sheer desperation. Among the insane, almost all murders were apparently the result of sudden rage or desperation; in only four cases over the whole six years was there a sexual offence involved. Motives in the group convicted of manslaughter under section 2 were very similar to those of the insane; in nearly all cases the attack was the result of a quarrel or a sudden rage, though in seven cases there was a sexual motive.

61. The only category in which there was much variety of motive was among men convicted and sentenced for murder. Out of the nine women convicted,

seven killed in a quarrel or from jealousy, and only two for financial gain. Table 35 shows the motives of male offenders according to type of penalty.

TABLE 35

Motives of men convicted and sentenced for murder

	Executed	Reprieved	Life Imprison-ment	Detained during Her Majesty's Pleasure	Total	
	No.	No.	No.	No.	No.	%
Before Homicide Act (1.1.55 to 20.3.57)						
Quarrels or violent rage	2	17	1	2	22	34·9
Jealousy and intrigue	1	7	1	—	9	14·3
Robbery or financial gain	1	7	—	1	9	14·3
Sex.	4	5	1	1	11	17·5
Resisting arrest	—	1	—	—	1	1·5
Not known	—	8	2	1	11	17·5
Total	8	45(a)	5	5	63	100·0
After Homicide Act (21.3.57 to 31.12.60)						
Quarrels or violent rage	4	1	59	1	65	46·4
Jealousy or intrigue	1	—	11	—	12	8·6
Robbery or financial gain	13	5	7	4	29	20·7
Sex.	—	—	16	—	16	11·4
Resisting arrest	1	1	—	—	2	1·5
Not known	—	—	15	1	16	11·4
Total	19	7	108	6	140	100·0

(a) All those sentenced to death in 1956 and the early part of 1957 were reprieved because legislation was under consideration.

62. In this group also, quarrels and jealousy together accounted for over half the total. Those who killed for financial gain comprised 14 per cent in the earlier period and 21 per cent in the later; those who committed sexual murders comprised 18 per cent in the earlier period and 11 per cent in the later. Although robbery and sex play a small part in murder compared with anger, jealousy, insanity and despair, they attract a great deal more public attention, and it is therefore of interest to summarise the cases in which these motives were apparent.

TABLE 36

Offenders whose motives were financial or sexual (both sexes)

	Committed Suicide	Insane	Convicted of man-slaughter under s.2	Convicted and sentenced for murder	Total
1955-60					
Robbery or financial gain	1	2	1	40	44
Sex	1	4	7	27	39

Previous criminal records of offenders

63. The Criminal Record office at New Scotland Yard was asked to trace the previous records of all suspects, and the number of male offenders with previous convictions for indictable offences is shown in Table 37. The number of women with criminal records was very small. The records of persons acquitted or discharged were also traced, and it was found that one in 1958 and six in 1960 had previous convictions; most of those in 1960 were members of gangs concerned in murder, who were themselves acquitted or convicted only of lesser offences.

64. The proportion of offenders with previous convictions has steadily increased in recent years; it rose from 26 per cent in the earlier period to 36 per cent in the period after the Homicide Act. Over the whole period from 1955 to 1960, 5 per cent had previous convictions for sexual offences, and half of these had convictions for violence as well; 10 per cent had convictions for violence but not for sexual offences, and 18 per cent for offences against property only. Those with convictions for sexual or violent offences all had convictions for offences against property as well, and this has also been found to be true for other groups of offenders;(a) the criminal who commits only offences of sex or violence is rare. For this purpose, a man with a conviction for indecent exposure as well as other offences has been included as a sexual offender, although this is a non-indictable offence; and "robbery with violence" and "demanding money with menaces" have been treated as offences of violence, although they are normally classified as offences against property. The reason for this departure from the practice of "Criminal Statistics" is that, in a murderer, any previous tendency to either violence or sexual abnormality is more relevant than the legal classification of his offences.

TABLE 37

Male offenders with previous convictions

Date at which crime became known to the police	Offenders with previous convictions					Total number of offenders	Proportion with previous convictions
	Committed Suicide	Insane	Convicted of manslaughter under s.2	Convicted and sentenced for murder	Total		
	No.	No.	No.	No.	No.	No.	%
1955	2	6	—	11	19	67	28·4
1956	2	2	—	13	17	73	23·3
1957	2	5	7	15	29	89	32·6
1958	1	7	7	14	29	86	33·7
1959	—	6	4	29	39	107	36·4
1960	3	4	7	29	43	114	37·7
Total	10	30	25	111	176	536	32·8
Before Homicide Act (1.1.55 to 20.3.57)	4	8	1	27	40	156	25·6
After Homicide Act (21.3.57 to 31.12.60)	6	22	24	84	136	380	35·8

(a) See "Robbery in London", Cambridge Institute of Criminology, 1961.

65. Table 38 shows that there was a considerable difference between the groups and between the two periods.

66. Very few of the suicides had previous convictions, as was to be expected from the nature and circumstances of the crime. These were ordinary people driven to an act of desperation.

67. Among the insane, the proportion with previous convictions rose from 17 per cent in the earlier period to 32 per cent in the later period; insane offenders with records were equally divided between those who had committed offences against the person and those who had not.

68. As in other respects, the group convicted of manslaughter under section 2

TABLE 38

Number of male offenders previously convicted of offences against the person and against property

	Committed Suicide		Insane		Convicted of manslaughter under s.2		Convicted and sentenced for murder		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Before Homicide Act (1.1.55 to 20.3.57):										
Previous offences:										
Sexual	1	2·3	—	—	—	—	3	4·8	4	2·5
Violent	1	2·3	4	8·5	—	—	7	11·1	12	7·7
Both	—	—	—	—	—	—	2	3·2	2	1·3
All offences against the person	2	4·6	4	8·5	—	—	12	19·1	18	11·5
Property only	2	4·5	4	8·5	1	(50·0)	15	23·8	22	14·1
No previous convictions	40	90·9	39	83·0	1	(50·0)	36	57·1	116	74·4
Total	44	100·0	47	100·0	2	100·0	63	100·0	156	100·0
After Homicide Act (21.3.57 to 31.12.60):										
Previous offences:										
Sexual	—	—	1	1·4	1	1·3	8	5·7	10	2·6
Violent	2	2·1	8	11·8	8	10·6	23	16·4	41	10·8
Both	1	1·0	2	2·9	1	1·3	7	5·0	11	2·9
All offences against the person	3	3·1	11	16·1	10	13·2	38	27·1	62	16·3
Property only	3	3·1	11	16·2	14	18·4	46	32·9	74	19·5
No previous convictions	90	93·8	46	67·7	52	68·4	56	40·0	244	64·2
Total	96	100·0	68	100·0	76	100·0	140	100·0	380	100·0

showed a great similarity to the insane group for the same period, except for a slightly lower proportion with previous offences against the person.

69. Again as would be expected, most of those with criminal records were in the group convicted and sentenced for murder, and it was here that most of the increase occurred. The proportion in this group who had criminal records rose from 43 per cent to 60 per cent. The proportion previously convicted of sexual offences rose from 8 per cent to 11 per cent, which was much higher than the proportion among the insane or those convicted under section 2, and about half of these had been convicted of violent offences as well. The proportion convicted of violence but not of sexual offences rose from 11 per cent to 16 per cent; and the proportion convicted only of property offences rose from 24 per cent to 33 per cent.

70. It was shown in Table 28 that the annual average number of men convicted and sentenced for murder rose from 28 in the period just before the Homicide Act to 37 in the period since the Act; the whole of the increase was attributable to persons with criminal records and most of it occurred in 1959 and 1960. It has already been shown that the average age of these offenders was lower in the later period, that the proportion who killed for gain was higher, and also the proportion who killed in quarrels; and that in 1960 there were an unusual number of murders in which several offenders were jointly concerned. These changes were not great, but they suggest a possible trend

TABLE 39

Motive related to previous convictions among men convicted and sentenced for murder

	Quarrels or violent rage		Jealousy or intrigue		Robbery or financial gain		Sexual motive		Other or not known		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Before Homicide Act (1.1.55 to 20.3.57)												
Previous offences:												
Sexual(a) . .	2	9·1	—	—	1	11·1	2	18·2	—	—	5	8·0
Violent . .	—	—	2	22·2	1	11·1	3	27·3	1	8·3	7	11·1
Property only .	6	27·3	1	11·1	3	33·3	1	9·1	4	33·3	15	23·8
None . .	14	63·6	6	66·7	4	44·5	5	45·4	7	58·4	36	57·1
Total . .	22	100·0	9	100·0	9	100·0	11	100·0	12	100·0	63	100·0
After Homicide Act (21.3.57 to 31.12.60)												
Previous offences:												
Sexual(a) . .	3	4·6	1	8·3	1	3·5	8	50·0	2	11·1	15	10·7
Violent . .	13	20·0	—	—	5	17·2	1	6·2	4	22·2	23	16·4
Property only .	15	23·1	1	8·3	17	58·6	5	31·3	8	44·5	46	32·9
None . .	34	52·3	10	83·4	6	20·7	2	12·5	4	22·2	56	40·0
Total . .	65	100·0	12	100·0	29	100·0	16	100·0	18	100·0	140	100·0

(a) Including those who had been convicted of both sexual and violent offences.

towards an increasing number of murders by persons already criminal, and accordingly an analysis has been made of men with criminal records who were convicted and sentenced for murder.

71. Table 39 relates the motive for murder to the type of previous conviction. The increase in the proportion with criminal records was distributed over all types of murder, but it is noteworthy that in the later period, 79 per cent of those who committed murder for financial motives had previous convictions of some kind. It is perhaps surprising that among those who killed in quarrels or violent rage, over half had no previous convictions, and the proportion with previous convictions for violence was little higher than the average. In the later period, half of those who committed sexual murders had previous convictions for sexual offences.

72. As regards methods of murder there was no significant difference between those who had previous convictions and those who had not. Nor was there a great deal of difference in the type of victim. In the later period, there was a tendency for those with previous convictions to kill a higher proportion of people who were strangers to them, but it was not statistically significant. However, a considerable difference was found when an analysis was made of capital and non-capital murder, as shown in Table 40.

TABLE 40

Men convicted of capital and non-capital murder since the Homicide Act: numbers with previous convictions

	Capital murder				Non-capital murder		
	Executed	Reprieved	Detained during Her Majesty's pleasure	Total	Life	Detained during Her Majesty's pleasure	Total
With previous convictions:							
1957 . .	2	2	—	4	8	—	8
1958 . .	5	—	—	5	9	—	9
1959 . .	3	—	—	3	25	1	26
1960 . .	6	2	2	10	19	—	19
Total .	16	4	2	22	61	1	62
Without previous convictions:							
1957 . .	1	—	—	1	11	1	12
1958 . .	—	1	—	1	8	1	9
1959 . .	1	1	—	2	14	—	14
1960 . .	1	1	—	2	14	1	15
Total .	3	3	—	6	47	3	50
Percentage with previous convictions . .	84·2	57·1	100·0	78·6	56·5	25·0	55·4

73. Among men convicted of capital murder 79 per cent had previous convictions; among those convicted of non-capital murder, the proportion was 55 per cent.(1) Among those executed, it was 84 per cent. It appears that nearly all capital murder is committed by persons with criminal records; and of the 22 men with criminal records, 16 had been previously convicted on more than one occasion. Most of these convictions were for larceny and breaking and entering, and the proportion with previous offences against the person among their convictions was actually lower among capital murderers than non-capital murderers, as shown in Table 41.

TABLE 41

Types of previous conviction among men convicted of capital and non-capital murder

	Capital murder		Non-capital murder	
	No.	%	No.	%
Previous offences:				
Sexual	—	—	8	7·1
Violent	4	14·3	19	17·0
Both	2	7·2	5	4·5
All offences against the person	6	21·5	32	28·6
Offences against property only	16	57·1	30	26·8
No previous convictions	6	21·4	50	44·6
Total	28	100·0	112	100·0

74. The figures are small, but they suggest that the distinction made in the Homicide Act is operating as intended, in that capital murderers are mainly thieves who kill in pursuit of criminal activities, while non-capital murder is more likely to be committed in the heat of emotion by persons of violent temperament.

(1) Difference significant at 5% level.

Summary

CHAPTER 1

Crimes known to the police and proceedings taken

1. The figures providing the best basis for a consideration of the trend in the number of murders are those of murders known to the police in each year, adjusted by deducting those which the police later found not to be murder or the courts disposed of as offences other than murder. Comparisons between the numbers of murders committed in periods before and after the Homicide Act, 1957, came into operation (on 21st March, 1957) are, however, difficult to make because the Act altered the definition of murder and also introduced the special defence of diminished responsibility (s.2), as a result of which some persons who would formerly have been convicted of murder may now be convicted of manslaughter. It is probable that, but for the operation of the Homicide Act, most of these "diminished responsibility" cases would have remained on record as murders and therefore, in the figures quoted below, these cases have been allowed to remain as if they had been murders, except where section 2 manslaughter is separately mentioned.

2. The long-term trend in the murder rate may be indicated by comparing the annual averages for the three decades 1931-40, 1941-50 and 1951-60. During the period 1931-40 the annual average was 130; during 1941-50 it was 152; and during 1951-60 it was 149. Between 1931 and 1960 the population increased by approximately 15 per cent; the average annual number of murders per million of the population was 3.2 during the period 1931-40 and 3.3 during the period 1951-60.

3. The annual average of murders for the period 1954-56 (the last three complete years before the Homicide Act came into operation) was 143, and for the period 1958-60 it was 160. This represents an increase of 11 per cent. The corresponding increase in all crimes of violence against the person was 69 per cent.

4. The annual figures show wide fluctuations, which cannot be explained. The figure for 1960 is 166 (including 31 offences reduced to manslaughter by reason of diminished responsibility); this is high but not unprecedented, and it cannot be taken as an indication of any general continuing increase in the murder rate.

5. The annual figures may be slightly inflated, since they include cases in which a suspect was charged with murder and acquitted of any crime. In some of these cases murder was certainly committed, even though no one was convicted; but in others there was probably no murder. Since the reason for an acquittal is never given, such cases cannot be accurately distinguished, and they are all recorded as murder. Analysis suggests that the true murder-rate may be about 5 per cent lower.

6. Less than 15 per cent of all murders are of the types now defined as capital murder, and the proportion has not changed since the Homicide Act. This figure includes cases which did not result in conviction because the offender

committed suicide or was found to be mentally abnormal.

7. Nearly one-third of all victims are murdered by persons who commit suicide. These are mainly family murders and are very largely cases in which children are killed by a parent in a state of despair or mental stress.

8. Suspects who do not commit suicide are almost all indicted for murder; a few are discharged at the magistrates' courts and a few are indicted for manslaughter.

9. From 1952 to 1956, 362 persons were committed for trial for offences finally recorded as murder. Twelve per cent were acquitted, 40 per cent were convicted and sentenced for murder, and 47 per cent were found to be insane.

10. From 1957 to 1960, 392 persons were committed for trial for offences finally recorded as murder or manslaughter by reason of diminished responsibility; 14 per cent were acquitted, 39 per cent were convicted and sentenced for murder, 24 per cent were convicted and sentenced for manslaughter by reason of diminished responsibility, and 22 per cent were found to be insane. The total proportion of persons found to be suffering from mental abnormality was thus the same after the Homicide Act as before, but the defence of diminished responsibility had to a large extent replaced the plea of guilty but insane.

11. From 1957 to 1960, a total of 560 persons was committed for trial for offences initially recorded as murder. Seventy per cent of these cases were finally recorded as murder or manslaughter by reason of diminished responsibility, 25 per cent as ordinary manslaughter, and 5 per cent as lesser offences, mainly infanticide or concealment of birth.

12. Up to the end of 1960, 28 persons had been convicted of capital murder under section 5 of the Homicide Act, 1957. Twenty-one of these were convicted of murder in the course or furtherance of theft, 4 of murder by shooting, and 3 of the murder of a policeman in the course of his duty. Nineteen were executed, 6 were reprieved, and three were persons under 18 detained during Her Majesty's Pleasure.

13. Most of those convicted of manslaughter by reason of diminished responsibility were sentenced to imprisonment, and sentences tended to be longer than for ordinary manslaughter. A number of the offenders received sentences of life imprisonment, which is the penalty imposed for non-capital murder.

CHAPTER II

The Victims

1. An analysis was made of all victims of murder for the six-year period 1955 to 1960. Female victims outnumbered males in the ratio of six to four. Among children under the age of 16, the number of boys and girls was about equal, since most of them were killed by a parent in a state of mental stress, and the whole family suffered indiscriminately. Among victims aged 16 and over, there were nearly twice as many women as men, because so many women were murdered by their husbands. Many of them were killed with their children in the family murders already referred to. There has been no significant change in the age or sex distribution since the Homicide Act.

2. About three-quarters of all child victims were killed by a parent or other older relative.

3. The annual number of murders of infants under one year has decreased during the past decade, probably owing to the provision of better facilities for unmarried mothers.

4. Over 40 per cent of adult women victims were killed by their husbands, and most of the remainder by relatives or associates.

5. Adult male victims were less likely to be killed by relatives and were very seldom killed by their wives. About half of them were killed by strangers.

6. The most common method of killing was an attack either with a blunt instrument or by hitting or kicking. Shooting was the least common method, and the proportion of murders by shooting fell slightly after the Homicide Act.

7. The most common method of killing children was by gas poisoning, owing to the number of cases in which a parent gassed the whole family including himself.

8. Quarrels, violent rage, insanity and suicidal despair accounted for most murders, especially murders of children. Mercy-killings amounted to only one or two a year. Murders with a sexual motive averaged eight a year.

9. The number of murders for robbery or financial gain rose from six a year to 12 a year after the Homicide Act, in spite of the fact that murder in the course or furtherance of theft is capital murder.

CHAPTER III

The Offenders

1. An analysis was made of offenders for the same period as for victims, 1955-1960. Persons acquitted or discharged were excluded from this analysis, which covered four categories: the suicides, the insane, those convicted of manslaughter by reason of diminished responsibility, and those convicted and sentenced for murder. Both before and after the Homicide Act, those convicted and sentenced for murder comprised only 31 per cent of the total.

2. Those convicted of murder were almost all men, as were most of the mentally abnormal; but 30 to 40 per cent of the suicides were women.

3. The annual average number of persons convicted and sentenced for murder increased from 31 in the period immediately before the Homicide Act to 38 after it; there was a similar increase in the number of mentally abnormal offenders, from 34 to 46 (including both the insane and those suffering from diminished responsibility). Among suicides, there was a rise in the number of men but a fall in the number of women, and the total rose only from 35 to 38.

4. Those who were convicted of murder were on average a much younger group than the suicides, the insane, or those suffering from diminished responsibility; and the average age became lower in the period since the Homicide Act.

5. There was a considerable difference between the categories in type of victim. The suicides and the insane mainly killed members of the family or close associates, and this was also true of those convicted of manslaughter by reason of diminished responsibility, though to a lesser degree. Among those convicted of murder, on the other hand, the majority killed non-relatives, and over half killed strangers. However, mentally normal offenders who killed strangers comprised only 21 per cent of the total, both before and after the Homicide Act.

6. There was also a difference between the categories in the methods used. As would be expected, gas poisoning was used almost exclusively by the suicides. Shooting was mainly used by the suicides and the mentally abnormal, and very little by those convicted of murder, who mainly hit, stabbed or strangled their victims.

7. Motives showed a variation corresponding to type of victim. The suicides killed in desperation; the mentally abnormal killed in sudden rage, with very rarely a sexual motive. Only among men convicted of murder was there much variety of motive, and in this group also, quarrels and rage accounted for over half the total; but the proportion who killed for robbery or financial gain rose from 14 per cent before the Homicide Act to 21 per cent after it.

8. The proportion of male offenders with previous convictions rose from 26 per cent before the Homicide Act to 36 per cent after. Most of those with criminal records were found among the men convicted of murder, and it was here that most of the increase occurred; the proportion with previous convictions rose from 43 per cent before the Act to 60 per cent after it.

9. The whole of the increase in the annual average number convicted of murder was attributable to men with criminal records, and most of it occurred in 1959 and 1960. In the period after the Homicide Act, 79 per cent of those convicted of murder for gain had previous convictions, mainly for property offences.

10. Among men convicted of capital murder, 79 per cent had previous convictions, and most of these had been convicted on more than one occasion. Almost all had been convicted of larceny or breaking and entering, and about a quarter of those with records had also committed an offence against the person. Among those convicted of non-capital murder, 55 per cent had previous convictions, also mainly for offences against property; but among those with records, over half had also committed offences against the person.

11. The results show that those convicted of capital murder are mainly persons who kill in pursuit of criminal activities. The majority kill for gain, and there has been some increase in this type of murder since the Homicide Act. Murder by shooting, by contrast, has decreased slightly since the Act; but in any case there are few convictions of capital murder in this category, since such murders are mainly done by persons who commit suicide or are mentally abnormal. Murder by shooting, like non-capital murder, is apparently more likely to be done for emotional reasons than in the course of crime.

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